

**UNITED STATES OF AMERICA**  
**Before the**  
**Federal Communications Commission**  
**Washington, D.C. 20554**

**In the Matter of**

<b>Creation of</b>	)	
<b>a Low Power Radio Service</b>	)	<b>MM Docket No. 99-25</b>
	)	
	)	

**Joint Written Comments of**  
**The Michigan Music Is World Class! Campaign,**  
**The LPAM Network,**  
**Tune Tracker Systems,**  
**Rand Advertising**  
**And 157 Other Parties**

The Michigan Music Is World Class! Campaign (MMWC) is composed of musical artists, music lovers, aspiring broadcasters and others who support greater access to the airwaves by local performers -- in "Motown" and the rest of Michigan. MMWC is also a regional affiliate of The Amherst Alliance. Stephanie Loveless of Ferndale, Michigan ([jamrag@glis.net](mailto:jamrag@glis.net)) is President of both MMWC and the nationwide Amherst Alliance.

The LPAM Network is an organization of aspiring Low Power AM broadcasters, including some current Part 15 AM broadcasters. The national group is led by William C. Walker ([lpam@lpam.net](mailto:lpam@lpam.net)), proprietor of WILW RADIO, [www.wilw.com](http://www.wilw.com) and [www.lpam.net](http://www.lpam.net), all based in Lincoln,

Maine. Members of the group work together for information sharing, technical assistance and advocacy on behalf of a Low Power AM Radio Service. The LPAM Network is independent of The Amherst Alliance.

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Tune Tracker Systems of Wisconsin provides technological services to radio stations,

while Rand Advertising provides advertising and graphic design services to businesses.

In addition to the 4 referenced institutions, these Joint Written Comments have been signed by 157 other institutions and individuals with a stake in FCC Docket 99-25.

**All of us have joined together to support the recommendations contained in the**

**June 14, 2005 Written Comments of The Amherst Alliance.** We hereby incorporate by reference that filing, as well as Amherst's Reply Comments of the same date, and Attach both of those documents to our own. We second Amherst's recommendations:

1. All LPFM stations, once approved for a Construction Permit (CP), should be protected from future displacement by new, upgraded, or relocating full power stations.

2. All LPFM stations, once approved for a Construction Permit (CP), should be protected from future displacement by new, upgraded, or relocating translators.

3. LPFM stations should be authorized to displace satellite-fed translators (commonly known as “satellators”) and other long distance translators. With the possible exception of rural Alaska, where a higher threshold may be needed, any translator relaying program content which originates more than 50 miles away should be subject to displacement.

4. LPFM stations should be allowed to have a maximum of one or two translators. All acquisitions of LPFM translators should be subject to requirements for public notice and public comment, with FCC review if any objections are filed.

5. The remaining Class D educational stations in America, which perform local programming and broadcaster training functions similar to those of LPFM stations, should have the same authority to displace satellators, and other long distance translators, that Amherst advocates for LPFM stations. Further, since the ranks of Class D educational stations – like the ranks of authorized LPFM stations – have been thinned recently by relocating full power stations, all Class D educational stations should receive the same protection from displacement that Amherst advocates for LPFM stations.

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6. Abuses of translator applications, including the use of translator applications to block LPFM applications and/or to establish unofficial nationwide or regional media networks, should be fully investigated by the FCC. In addition: The FCC’s current “freeze” on translator applications should remain in effect, at least until the backlog of LPFM applications has been processed.

7. Only one LPFM license should be granted to each licensee. “Networks” of LPFM stations can easily defeat the basic goal of providing fundamentally local program content and service. The only exception to this should be the possible limited ownership of LPFM translators, under certain restricted circumstances.

8. The present limits on LPFM license transferability should remain as they are. If the FCC does decide to allow transfers, the new organization should have to meet all of the same requirements that the originally licensed organization was able to meet. Also,

in that case, the FCC should assure that no parties make a profit from any transfer(s).

9. The LPFM license eligibility criteria should continue to include the current local residency and local ownership requirements.

10. The FCC should license 250 watt LPFM stations in areas with low population density. LP250 status could be based on: (a) average population density of 100 persons per square mile or less; or (b) service contours which fall completely outside any of the top 100 media markets, as defined by Arbitron; or (c) service contours which fall completely outside of any of the 235 Standard Metropolitan Statistical Areas (SMSAs), as defined by the U.S. Bureau of the Census.

11. The FCC should also proceed with its long-delayed “filing windows” for LP10 stations. While there are rural areas where LPFM stations may not be financially viable without an LP250 option, there are also urban areas where LPFM stations are not logistically viable without an LP10 option: that is, wattage fitting the spectrum available. This “window” can be sub-divided into 2 or more parts, for the FCC’s administrative convenience, with the first part reserved for LP10 applications in areas that now have 3 LP100 frequencies or less.

Looking to the future, *beyond* the completion of this particular rulemaking on LPFM and translators, the undersigned parties also support the following Amherst Alliance

recommendations for *additional actions* by the FCC:

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12. The FCC should solicit public comments on a proposed Low Power *AM* (LPAM) Radio Service that will complement the existing Low Power FM Radio Service.

Action to initiate some form of viable Low Power AM is *absolutely critical* if we are to “Let The Cities In” on Low Power Radio. In areas with extremely congested FM spectrum, such as Metro Detroit and Metro Boston, the *only* way for Low Power Radio stations to gain a foothold may be a combination of LP10 licensing on the FM Band *plus* opening the AM Band to Low Power Radio stations.

Also:

Allowing commercials to air on LPAM stations will make affordable air time available to small, local and independently owned businesses -- as they compete with the radio advertisements placed by large, national retail chains.

13. Because major expansions of the LPFM Radio Service will be made possible by reform of statutory restrictions on FM Band adjacent channel spacing, we strongly commend the FCC for urging Congressional action to repeal these unjustified legislative restrictions. Although the FCC has clearly taken a stand, it is still advisable for the Commission to *remind* Congress of the need for timely action, such as enactment of S. 312: the reform bill sponsored by U.S. Senators John McCain (R-AZ), Maria Cantwell (D-WA) and Patrick Leahy (D-VT). In addition, the Commission should call for the introduction of comparable legislation in the U.S. House of Representatives.

14. The FCC should further urge Congress to exempt *small* commercial stations from the current statutory mandate for allocation of all commercial radio licenses by auction. Perhaps this important reform could be made a part of the ongoing Congressional deliberations on review and re-authorization of the 1996 Telecommunications Act. Mandatory license auctions, if not totally repealed (or otherwise invalidated), should at least leave *some* room for a “protected enclave” of *small*, locally oriented commercial stations. The FCC should urge Congress to exempt from auctions all *Class A and B* radio stations, or at the very least all Class A licensees, as well as any Low Power Radio stations that are licensed on the *AM* Band.

The 161 undersigned parties urge the Commission to adopt all of the recommendations we have endorsed above.

Respectfully submitted,

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